

House File 3 - Introduced

HOUSE FILE 3

BY JONES

A BILL FOR

1 An Act relating to invasion of privacy, and providing
2 penalties.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 709.21, subsection 1, paragraph a, Code
2 2015, is amended to read as follows:

3 a. The other person ~~does not have knowledge about and~~
4 does not consent or is unable to consent to being viewed,
5 photographed, or filmed.

6 EXPLANATION

7 The inclusion of this explanation does not constitute agreement with
8 the explanation's substance by the members of the general assembly.

9 This bill modifies the criminal offense of invasion of
10 privacy.

11 The bill provides that a person who knowingly views,
12 photographs, or films a victim, for the purpose of arousing or
13 gratifying the sexual desire of any person, commits invasion
14 of privacy if all of the following apply: the victim does not
15 consent or is unable to consent to being viewed, photographed,
16 or filmed; the victim is in a state of full or partial nudity;
17 and the victim has a reasonable expectation of privacy while in
18 a state of full or partial nudity.

19 Under the bill, the victim may have knowledge that the
20 perpetrator is viewing, photographing, or filming the victim.
21 Current law requires the victim to have no knowledge the
22 perpetrator is viewing, photographing, or filming the victim.

23 A person who violates the bill commits a serious misdemeanor
24 and must register as a sex offender. A person convicted of
25 invasion of privacy also is subject to a 10-year special
26 sentence under Code section 903B.2. A serious misdemeanor is
27 punishable by confinement for no more than one year and a fine
28 of at least \$315 but not more than \$1,875.